

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Adjudication and Hearings



ADMINISTRATIVE ORDER NO.: 2002-04

SUBJECT: Appearance of Attorneys before the Office of Adjudication and Hearings

Pursuant to Reorganization Plan No. 4 of 1996, D.C. Official Code § 2-1801.01 et seq., Mayor's Order No. 97-42, effective January 13, 1997, Mayor's Order No. 99-68, effective April 28, 1999, Mayor's Order 01-39, effective March 21, 2001, Department of Health Organizational Order No. 99-24, and all other applicable law, it is hereby **ORDERED** that:

1. All pleadings and other documents signed by an attorney who is an active member in good standing of the District of Columbia Bar, and filed with the Office of Adjudication and Hearings ("Office"), shall include that attorney's District of Columbia bar number.
2. An attorney who is not a member of the District of Columbia Bar may appear before the Office of Adjudication and Hearings consistent with District of Columbia Court of Appeals Rule 49 and other applicable law. The attorney must be an active member in good standing of the bar of another state or territory of the United States, and must meet the following requirements:
 - (a) All pleadings and other documents signed by the attorney must indicate clearly that he or she is not admitted to the District of Columbia Bar and must identify at least one (1) other state or territorial bar of which he or she is an active member in good standing.
 - (b) The attorney must provide satisfactory evidence that his or her client consents to being represented by an attorney who is not a member of the District of Columbia Bar.
3. Current law students active in *pro bono* legal clinics may appear before the Office of Adjudication and Hearings with the consent and oversight of the supervising attorney assigned to them and in a manner consistent with District of Columbia Court of Appeals Rule 48.
4. In addition to any rules or orders now or hereafter adopted by the Office of Adjudication and Hearings, the District of Columbia Rules of Professional Conduct shall govern the conduct of all attorneys appearing before the Office.
5. In the exercise of its inherent authority to regulate the persons who practice before the Office, (*see Brown v. District of Columbia Board of Zoning Appeals*, 413 A.2d 1276 (D.C. 1980)), the Chief Administrative Law Judge may restrict the practice of any attorney appearing before the Office. Such restrictions may include, without limitation, disqualification from a particular case; suspension of the privilege of practicing before the Office; a requirement that

an attorney obtain ethics or other professional training or counseling; or a requirement that an attorney appear only when accompanied by another attorney with particular skills or a particular level of experience.

6. The Chief Administrative Law Judge may enter an order restricting practice in the event of a violation of one or more of the rules identified in Paragraph 4 of this Order or for other good cause. If imposing a disqualification or suspension, the attorney shall be given notice and opportunity to be heard either before the imposition of the suspension or disqualification, or as soon thereafter as is practicable.
7. An Administrative Law Judge or Administrative Judge may exercise the authority in paragraphs 5 and 6 of this order only against an attorney who has appeared before that judge in a case that continues to be pending. If an Administrative Law Judge or Administrative Judge exercises such authority, the affect of an order restricting practice shall be limited to the subject attorney's practice before the issuing judge.
8. Nothing in paragraph 7 limits the authority of the Chief Administrative Law Judge to enter a separate order restricting an attorney's privilege of practicing before the Office.
9. Persons appearing before the Office under the authority of paragraph 2 or 3 of this Order are subject to all provisions of this Order and shall be deemed to be "attorneys" for the purposes of paragraphs 4 through 8 of this order.
10. This Order supersedes Office Order 2000-09 and supersedes all other prior Administrative Orders and Office Orders to the extent of any inconsistency.
11. This Order is effective immediately.

/s/

Dated this 12 day of March, 2002

Paul Klein
Chief Administrative Law Judge